

<b>PHA 5-Year and Annual Plan</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 4/30/2011</b>
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1.0	<b>PHA Information</b> PHA Name: <u>Sterling Heights Housing Commission</u> PHA Code: <u>MI157</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>10/2010</u>												
2.0	<b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>153</u> Number of HCV units: <u>40</u>												
3.0	<b>Submission Type</b> <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only												
4.0	<b>PHA Consortia</b> <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)												
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program <table border="1"> <thead> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>PHA 1:</td> <td></td> </tr> <tr> <td>PHA 2:</td> <td></td> </tr> <tr> <td>PHA 3:</td> <td></td> </tr> </tbody> </table>	PH	HCV	PHA 1:		PHA 2:		PHA 3:	
PH	HCV												
PHA 1:													
PHA 2:													
PHA 3:													
5.0	<b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.												
5.1	<b>Mission.</b> State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: The mission of the Sterling Heights Housing Commission (SHHC) is to be the area's affordable housing of choice for the senior and disabled population. It is our intent to provide and maintain safe, quality housing in a cost-effective manner at Schoenherr Towers. By partnering with others, we offer rental assistance and other related services to our community in a non-discriminatory manner.												

5.2	<p><b>Goals and Objectives.</b> Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p><u>Goals and Objectives:</u>  Maintain high performer status.  Continue to concentrate on efforts to improve public housing finances.  Continue to modernize public housing units by replacing carpet.  Improve community quality of life and economic vitality by installing an automatic door, installing kick plates to doors, installing low flow toilets, replacing windows, and maintaining the senior housing designate.  Continue to ensure equal opportunity and affirmatively further fair housing.  Continue to undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability.  Continue to undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, and disability.  Continue to undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required.  Continue to promote self-sufficiency by providing supportive services to improve assistance recipients' employability and provide services to increase independence for the elderly or disabled.  Continue to promote a motivating work environment with a capable and efficient team of employees.  Continue to maintain a safe and secure environment by upgrading the security system.  Continue to complete all emergency service requests within 24 hours and complete routine service requests within 2 days.</p> <p><u>Progress in meeting goals from previous 5-Year Plan:</u>  Goal: Improve the quality of assisted housing.  Progress: Several (building and unit) modernization activities have occurred. A new Management Agent was appointed and customer satisfaction steadily increases each year.  Goal: Increase assisted housing choices.  Progress: Additional vouchers are not available, due to HUD restraints.  Goal: Provide an improved living environment.  Progress: Upgrading security and controlled access system and maintaining senior designated building.</p>
	<p>Goal: Promote self-sufficiency and asset development of assisted households.  Progress: Maintain programs and services which increase independence for the elderly and families with disabilities.  Goal: Ensure equal opportunity and affirmatively further fair housing.  Progress: Staff has attended fair housing training as well as elder care courses. Sterling Heights Housing Commission is an equal housing provider and does not discriminate on the basis of race, color, religion, national origin, disability, familial status or any other protected category.  Goal: To manage Schoenherr Towers and the Section Eight Tenant – Based Voucher Program in such a manner as to be efficient and effective thereby qualifying at a minimum as a standard performer.  Progress: Maintaining high performer status for both PHAS and SEMAP.  Goal: To provide a safe and secure environment at Schoenherr Towers.  Progress: Upgrading security system, cameras and accessibility to building. Schoenherr Towers has not evicted any residents for criminal activity and continues to strive to provide a safe and secure environment for our residents.  Goal: To expand the quality of housing choices available to participants in the Sterling Heights Housing Commission's Section Eight Tenant-Based assistance program.  Progress: Landlord information is provided to persons who are looking to move to new locations.</p>
6.0	<p><b>PHA Plan Update</b></p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:  Each year an annual housekeeping/UPCS inspection is conducted to prevent infestation. When infestation is applicable, apartments are treated monthly by pest control contractor.  Eligibility, Selection and Admission Policies have been revised to include credit checks. VAWA guidelines were also implemented.</p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.  The 5-Year and Annual Plan may be obtained by the public through SHHC by visiting the office located at 37500 Schoenherr Road, Suite A, Sterling Heights, MI 48312 and is also available at the Management Agent's office, located at 32500 Telegraph, Ste 100, Bingham Farms, MI 48025.</p>
7.0	<p><b>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.</b> <i>Include statements related to these programs as applicable.</i></p>
8.0	<p><b>Capital Improvements.</b> Please complete Parts 8.1 through 8.3, as applicable.</p>

8.1	<p><b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p>
8.2	<p><b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p>
8.3	<p><b>Capital Fund Financing Program (CFFP).</b>  <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>
9.0	<p><b>Housing Needs.</b> Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of <b>affordability, supply, quality, accessibility, size of units, and location.</b></p> <p>In order to attract families at or below 30% of median, the SHHC will target available assistance to families at or below 30 % of AMI. The SHHC will exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing and tenant-based section 8 assistance.</p> <p>There is a shortage of affordable housing for all eligible populations. The SHHC will employ effective maintenance and management policies to minimize the number of public housing units off-line. The SHHC will reduce turnover time for vacated public housing units and reduce time to renovate public housing units.</p> <p>The waiting list for the Section 8 program is currently closed and consists of 37 applicants. These applicants have been on the waiting list since 2002.</p> <p>The waiting list for the Tower is currently open and consists of 27 applicants.</p> <p>(taken from Macomb HOME Consortium)  The reader is referred to the Agency Plans for Clinton Township, Eastpointe, Mt. Clemens, New haven, Roseville, and Sterling Heights. The consortium, and its individual members, will work with these housing commissions to promote housing opportunities for public residents whenever possible.  Neither the Macomb HOME Consortium nor its member's communities have sufficient resources to address the needs of public housing residents, nor can it/they plan to assist in the implementation of resident initiatives.</p>
9.1	<p><b>Strategy for Addressing Housing Needs.</b> Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. <b>Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</b></p> <p>Strategies for meeting housing needs for families on the Public Housing and Section 8 waiting lists will be achieved through continuing to turnover vacated apartments timely, maintaining lease-up rates and applying for additional Section 8 units, if available.</p>

10.0	<p><b>Additional Information.</b> Describe the following, as well as any additional information HUD has requested.</p> <p>(a) <b>Progress in Meeting Mission and Goals.</b> Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>The SHHC maintains high performer status for SEMAP and PHAS.  The SHHC has been successful in conducting outreach efforts to potential participants and residents.  The SHHC has improved the community quality of life and economic vitality by replacing and adding makeup air, central air and boilers, replacing kitchen vinyl, vanities and hood fans, replacing 45 refrigerators and stoves and replacing carpeting in 21 units.</p> <p>(b) <b>Significant Amendment and Substantial Deviation/Modification.</b> Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p> <p>Substantial deviations or significant amendments or modifications are defined as discretionary changes in the plans or policies of the Housing Commission that fundamentally change the mission, goals, objectives, or plans of the agency and which require formal approval of the Board of Commissioners. The following actions will be considered significant amendments or modifications:</p> <ul style="list-style-type: none"> <li>• Changes to rent or admissions policies or organization of the waiting list;</li> <li>• Additions of emergency or non-emergency work items not included in the current Capital Fund Annual Statement or Five-Year Action Plan;</li> <li>• Additions of new activities funded under Resident Opportunities and Supportive Services or other HUD-funded programs;</li> <li>• Any change with regard to demolition or disposition, designation, homeownership programs or conversion activities. An exception to this definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements. HUD will not consider such changes significant amendments.</li> </ul>
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11.0	<p><b>Required Submission for HUD Field Office Review.</b> In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. <b>Note:</b> Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>
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**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the x 5-Year and/or 2010 Annual PHA Plan for the PHA fiscal year beginning 10/1/10, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

Sterling Heights Housing Commission

M1157

PHA Name

PHA Number/HA Code

5-Year PHA Plan for Fiscal Years 20 10 - 20 14

Annual PHA Plan for Fiscal Years 20 10 - 20 11

I hereby certify that all the information stated herein, as well as any information provided in the accompanying herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Marvin J. Miller Jr.

Title

President

Signature

*Marvin J. Miller Jr.*

Date

6/23/10

# Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

Applicant Name  
Sterling Heights Housing Commission

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Program/Activity Receiving Federal Grant Funding  
Capital Fund Program

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

- (1) The dangers of drug abuse in the workplace;
- (2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

Check here  if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official Denice Gerstenberg	Title Executive Director
Signature x Denice A. Gerstenberg	Date 6-22-10

# Certification of Payments to Influence Federal Transactions

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

Applicant Name

Sterling Heights Housing Commission

Program/Activity Receiving Federal Grant Funding

Capital Fund Program

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.  
(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Denice Gerstenberg

Title

Executive Director

Signature

*Denice A. Gerstenberg*

Date (mm/dd/yyyy)

*6-22-10*

## DISCLOSURE OF LOBBYING ACTIVITIES

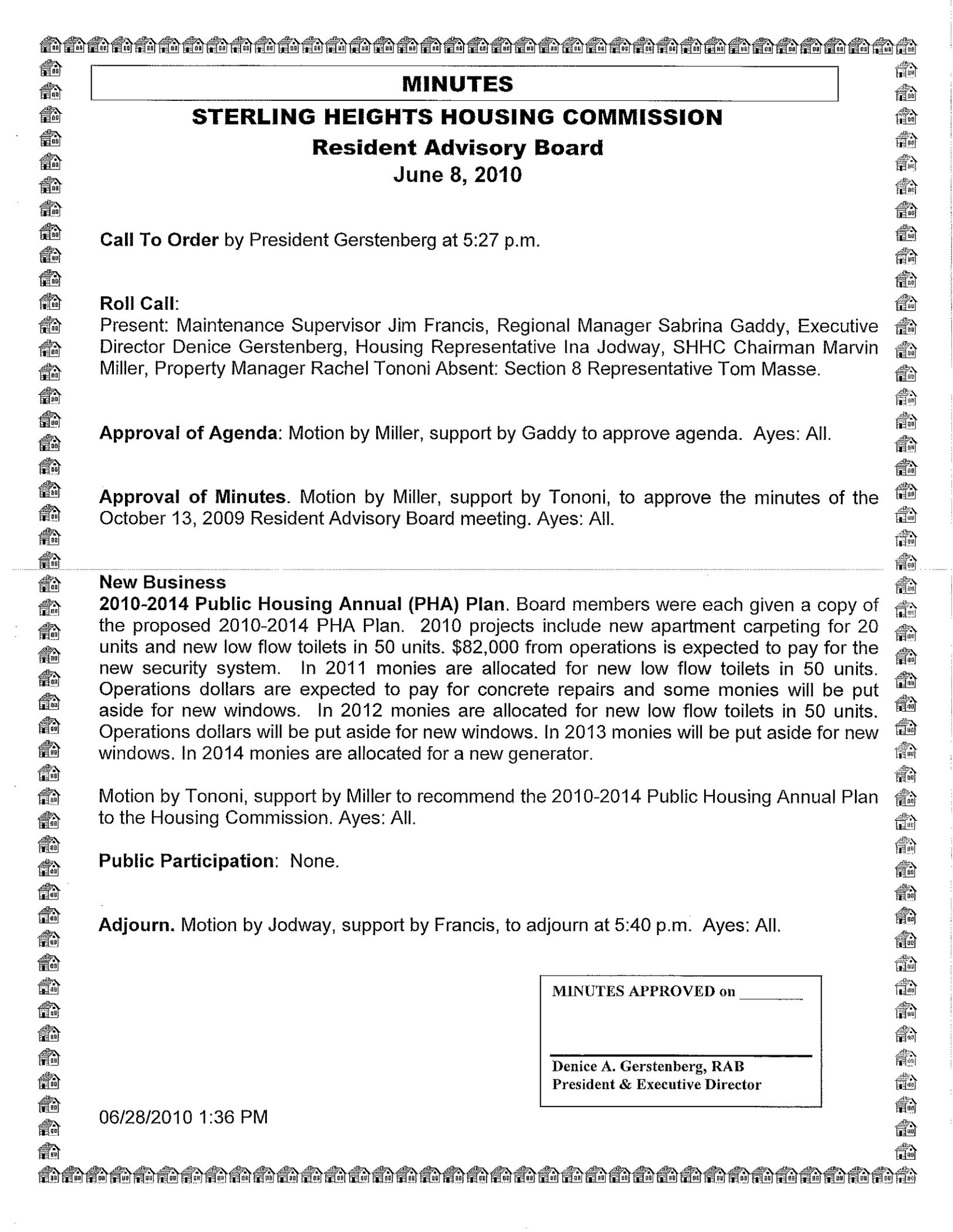
Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input checked="checked" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> <input checked="checked" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Sterling Heights Housing Commission 37500 Schoenherr Road Sterling Heights, MI 48312  Congressional District, if known:	<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b> N/A  Congressional District, if known:	
<b>6. Federal Department/Agency:</b> U. S. Department of Housing and Urban Development	<b>7. Federal Program Name/Description:</b> Capital Fund Program/Public Housing Agency Plan/Section 8  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>	<b>9. Award Amount, if known:</b> \$	
<b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):  None	<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):	
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: <u>Denice A Gerstenberg</u> Print Name: <u>Denice Gerstenberg</u> Title: <u>Executive Director</u> Telephone No.: <u>586.446.2361</u> Date: <u>6-22-10</u>	
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)



# MINUTES

## STERLING HEIGHTS HOUSING COMMISSION

### Resident Advisory Board

June 8, 2010

**Call To Order** by President Gerstenberg at 5:27 p.m.

**Roll Call:**

Present: Maintenance Supervisor Jim Francis, Regional Manager Sabrina Gaddy, Executive Director Denice Gerstenberg, Housing Representative Ina Jodway, SHHC Chairman Marvin Miller, Property Manager Rachel Tononi Absent: Section 8 Representative Tom Masse.

**Approval of Agenda:** Motion by Miller, support by Gaddy to approve agenda. Ayes: All.

**Approval of Minutes.** Motion by Miller, support by Tononi, to approve the minutes of the October 13, 2009 Resident Advisory Board meeting. Ayes: All.

**New Business**

**2010-2014 Public Housing Annual (PHA) Plan.** Board members were each given a copy of the proposed 2010-2014 PHA Plan. 2010 projects include new apartment carpeting for 20 units and new low flow toilets in 50 units. \$82,000 from operations is expected to pay for the new security system. In 2011 monies are allocated for new low flow toilets in 50 units. Operations dollars are expected to pay for concrete repairs and some monies will be put aside for new windows. In 2012 monies are allocated for new low flow toilets in 50 units. Operations dollars will be put aside for new windows. In 2013 monies will be put aside for new windows. In 2014 monies are allocated for a new generator.

Motion by Tononi, support by Miller to recommend the 2010-2014 Public Housing Annual Plan to the Housing Commission. Ayes: All.

**Public Participation:** None.

**Adjourn.** Motion by Jodway, support by Francis, to adjourn at 5:40 p.m. Ayes: All.

MINUTES APPROVED on \_\_\_\_\_

\_\_\_\_\_  
Denice A. Gerstenberg, RAB  
President & Executive Director

06/28/2010 1:36 PM

**STERLING HEIGHTS HOUSING COMMISSION  
HOUSING CHOICE VOUCHER PROGRAM  
VIOLENCE AGAINST WOMEN ACT POLICY**

**I. APPLICANTS**

That an applicant or participant in the Sterling Heights Housing Commission Section 8 Housing Choice Voucher program is or has been a victim of domestic violence, dating violence or stalking is not an appropriate basis for termination or denial of program assistance or for denial of admission of an otherwise qualified applicant.

**II. DEFINITIONS**

1. Domestic Violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Michigan domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under Michigan domestic or family violence laws.

2. Dating Violence – means violence committed by a person

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such relationship shall be determined based on a consideration of the following factors:

(i) the length of the relationship;

(ii) the type of relationship; and

(iii) the frequency of interaction between the persons involved in the relationship.

3. Stalking – means

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,

(B) In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

4. Immediate Family Member – means, with respect to a person

(A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or

(B) any person living in the household of that person and related to that person by blood or marriage.

**III. PARTICIPANTS**

**A. Written Certification**

(i) The landlord and/or the Sterling Heights Housing Commission may request, in writing, "certification" from a victim that the incident or incidents in question are bona fide incidents of domestic violence, dating violence or stalking. The certification shall be a statement signed under penalty of perjury, by an employee, agent or volunteer of a victim services provider, an attorney or a medical professional from whom the victim has sought assistance in addressing

domestic violence, dating violence or stalking, or the effects of the abuse, that the incident or incidents in question are bona fide incidents or abuse. The victim of domestic violence, dating violence or stalking must also sign the statement and identify the alleged perpetrator of the domestic violence, dating violence or stalking.

(ii) Alternatively, the victim may submit a federal, state, or local police or court record from which the landlord can ascertain the facts and identify the alleged perpetrator. The victim shall provide such certification within 14 business days after the landlord's or the Sterling Heights Housing Commission's written request for the certification. The landlord or the Sterling Heights Housing Commission may extend the 14 day deadline at its discretion.

(iii) Information provided by the victim pursuant to the certification shall be retained in confidence and not shared unless written consent is obtained from the victim, it is required for use in eviction proceedings or disclosure is otherwise required by law.

## **B. Victim's Rights**

If a victim has properly executed certification on file with the landlord, or has provided a federal, state or local police report to the landlord or if the landlord permits self-certification by the resident and the resident in fact self-certifies to being the victim of domestic violence, dating violence or stalking:

(i) An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim of such violence.

(ii) The landlord may bifurcate the lease to evict a lawful occupant or resident who engages in criminal acts of physical violence against family members or others without evicting or otherwise penalizing victimized lawful residents or occupants.

(iii) Criminal activity directly related to domestic violence, dating violence or stalking engaged in by a member of a resident's household or any guest or other person under the resident's control shall not be cause for termination of the tenancy or occupancy rights if the resident or an immediate family member is the victim or threatened victim of that domestic violence, dating violence or stalking.

(iv) The landlord may evict a victim of domestic violence, dating violence or stalking if it can demonstrate an actual and imminent threat to other residents or the landlord's employees or service providers if the resident's tenancy is not terminated or for other good cause unrelated to the domestic violence, dating violence or stalking as long as the victim of domestic violence, dating violence or stalking is not subject to a higher standard than a resident who is not the victim of domestic violence, dating violence or stalking.

(v) The Sterling Heights Housing Commission or landlord is authorized to honor court orders regarding rights of access or control of the property.

(vi) The Sterling Heights Housing Commission shall not deny portable voucher assistance to a tenant who violated previous assisted lease terms solely in order to move out quickly because of the fear of domestic violence. This includes participants who are otherwise in compliance with program rules and moved out of a previously assisted unit in order to "protect the health and safety of an individual who is or has been the victim of domestic violence, dating violence

or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.” The participant must provide police or court records to validate their claims.

#### **IV. STERLING HEIGHTS HOUSING COMMISSION, LANDLORDS, AND OWNERS RIGHTS TO TERMINATE VOUCHER ASSISTANCE**

##### **A. Eviction and/or Termination**

Although a participant may have satisfied the requirement to submit a certification regarding domestic violence, dating violence or stalking, the landlord may evict a participant and the Sterling Heights Housing Commission may terminate voucher assistance for other good cause unrelated to incident(s) of domestic violence, dating violence or stalking so long as the eviction is not based on a higher standard than that applied to persons who are not the victim of domestic violence, dating violence or stalking.

##### **B. Actual and Imminent Threat**

Nothing is to prohibit termination or eviction if the landlord, owner or the Sterling Heights Housing Commission “can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property” or public housing agency “if that tenant is not evicted or terminated from assistance”.

## STERLING HEIGHTS HOUSING COMMISSION

### NOTICE TO PARTICIPANTS AND LANDLORDS IN THE HOUSING CHOICE VOUCHER PROGRAM OF THEIR RIGHTS AND OBLIGATIONS UNDER THE VIOLENCE AGAINST WOMEN ACT

On January 5, 2006, President Bush signed into law a new federal statute, the "Violence Against Women and Department of Justice Reauthorization Act of 2005". For purposes of this notification, this statute is referred to as the Violence Against Women Act or VAWA. The VAWA requires public housing authorities such as the Sterling Heights Housing Commission ("SHHC") to notify the participants and landlords in the Housing Choice Voucher Program ("HCV Program") of their rights and obligations under the VAWA.

#### **Definitions**

**Domestic Violence** – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Michigan domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under Michigan domestic or family violence laws.

**Dating Violence** – means violence committed by a person

- (C) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (D) where the existence of such relationship shall be determined based on a consideration of the following factors:
  - (i) the length of the relationship;
  - (ii) the type of relationship; and
  - (iii) the frequency of interaction between the persons involved in the relationship.

**Stalking** – means

- (C) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,
- (D) In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

**Immediate Family Member** – means, with respect to a person

- (C) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
- (D) any person living in the household of that person and related to that person by blood or marriage.

#### **Denial of Housing Prohibited**

Status as a victim of domestic violence, dating violence or stalking is not an appropriate basis for denial of admission or denial of housing assistance.

#### **Eviction for Criminal Activity Prohibited**

An incident or incidents of actual or threatened domestic violence, dating violence or stalking by a member of your household or any of your guests or other persons under the residents control will not qualify as a serious or repeated violation of the lease or good cause for terminating the

assistance, tenancy or occupancy rights of a victim or threatened victim. However, the landlord may bifurcate the lease to evict a lawful occupant or resident who engages in criminal acts of physical violence against family members or others without evicting or otherwise penalizing victimized lawful residents or occupants.

### **Protection Orders**

SHHC and the landlord are required to honor, when notified, court orders regarding access to or control of your home, including civil protection orders issued to the victim and to address the distribution and possession of property among the household members.

### **Voucher Portability**

SHHC may not deny the resident portable voucher assistance because they violated previous lease terms solely in order to move out quickly to protect the health and safety of a member of their household who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

### **Certification of Domestic Violence, Dating Violence or Stalking**

In order to enjoy the benefits of the VAWA, upon the landlord or SHHC's written request, the resident or any other lawful occupant of their household must provide a certification that they or any other lawful occupant of their home is or has been the victim of domestic violence, dating violence or stalking. The certification will be a statement, signed under penalty of perjury, by an employee, agent or volunteer of a victim services provider, an attorney or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of the abuse, that the incident or incidents in question are bona fide incidents of abuse. The victim of domestic violence, dating violence or stalking must sign the statement and identify the alleged perpetrator of the domestic violence, dating violence or stalking. Alternatively, the victim may submit a federal, state, or local police or court record from which the landlord can ascertain the facts and identify the alleged perpetrator. The victim shall provide such certification within 14 business days after the landlord's written request for the certification. The landlord may extend the 14 day deadline at its discretion.

### **Confidentiality of Information Related to Certification**

Information provided by the victim pursuant to the certification shall be retained in confidence and not shared unless written consent is obtained from the victim, it is required for use in eviction proceedings or disclosure is otherwise required by law.

### **Landlord's Right to Evict & SHHC's Right to Terminate Voucher Assistance**

Even if the resident has satisfied the requirement to submit a certification regarding domestic violence, dating violence or stalking, the landlord may evict the resident and SHHC may terminate the resident's voucher assistance for other good cause unrelated to incident(s) of domestic violence, dating violence or stalking so long as the eviction is not based on a higher standard than that applied to persons who are not the victim of domestic violence, dating violence or stalking.

Also, the landlord may evict the resident and SHHC may terminate the resident's voucher assistance if the landlord, manager or SHHC can demonstrate an actual and imminent threat to other residents or persons employed by the landlord or SHHC or persons providing services to the property, if the resident is not evicted or terminated from assistance.

**STERLING HEIGHTS HOUSING COMMISSION  
HOUSING CHOICE VOUCHER PROGRAM  
VIOLENCE AGAINST WOMEN ACT LEASE ADDENDUM**

**I. DEFINITIONS**

1. Domestic Violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Michigan domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under Michigan domestic or family violence laws.
2. Dating Violence – means violence committed by a person
  - (E) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (F) where the existence of such relationship shall be determined based on a consideration of the following factors:
    - (i) the length of the relationship;
    - (ii) the type of relationship; and
    - (iii) the frequency of interaction between the persons involved in the relationship.
3. Stalking – means
  - (E) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,
  - (F) In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.
4. Immediate Family Member – means, with respect to a person
  - (E) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
  - (F) any person living in the household of that person and related to that person by blood or marriage.

**II. PARTICIPANTS**

**A. Written Certification**

- (i) The landlord and/or the Sterling Heights Housing Commission may request, in writing, "certification" from a victim that the incident or incidents in question are bona fide incidents of domestic violence, dating violence or stalking. The certification shall be a statement signed under penalty of perjury, by an employee, agent or volunteer of a victim services provider, an attorney or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of the abuse, that the incident or incidents in question are bona fide incidents or abuse. The victim of domestic violence, dating violence or stalking must also sign the statement and identify the alleged perpetrator of the domestic violence, dating violence or stalking.
- (ii) Alternatively, the victim may submit a federal, state, or local police or court record from which the landlord can ascertain the facts and identify the alleged perpetrator. The victim shall provide such certification within 14 business days after the landlord's or the Sterling Heights Housing Commission's written request for the certification. The landlord or the Sterling Heights Housing Commission may extend the 14 day deadline at its discretion.
- (iii) Information provided by the victim pursuant to the certification shall be retained in confidence and not shared unless written consent is obtained from the victim, it is required for use in eviction proceedings or disclosure is otherwise required by law.

**B. Victim's Rights**

If a victim has properly executed certification on file with the landlord, or has provided a federal, state or local police report to the landlord or if the landlord permits self-certification by the resident and the resident in fact self-certifies to being the victim of domestic violence, dating violence or stalking:

(i) An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim of such violence.

(ii) The landlord may bifurcate the lease to evict a lawful occupant or resident who engages in criminal acts of physical violence against family members or others without evicting or otherwise penalizing victimized lawful residents or occupants.

(iii) Criminal activity directly related to domestic violence, dating violence or stalking engaged in by a member of a resident's household or any guest or other person under the resident's control shall not be cause for termination of the tenancy or occupancy rights if the resident or an immediate family member is the victim or threatened victim of that domestic violence, dating violence or stalking.

(iv) The landlord may evict a victim of domestic violence, dating violence or stalking if it can demonstrate an actual and imminent threat to other residents or the landlord's employees or service providers if the resident's tenancy is not terminated or for other good cause unrelated to the domestic violence, dating violence or stalking as long as the victim of domestic violence, dating violence or stalking is not subject to a higher standard than a resident who is not the victim of domestic violence, dating violence or stalking.

(v) The Sterling Heights Housing Commission or landlord is authorized to honor court orders regarding rights of access or control of the property.

(vi) The Sterling Heights Housing Commission shall not deny portable voucher assistance to a tenant who violated previous assisted lease terms solely in order to move out quickly because of the fear of domestic violence. This includes participants who are otherwise in compliance with program rules and moved out of a previously assisted unit in order to "protect the health and safety of an individual who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit." The participant must provide police or court records to validate their claims.

### **III. STERLING HEIGHTS HOUSING COMMISSION, LANDLORDS, AND OWNERS RIGHTS TO TERMINATE VOUCHER ASSISTANCE**

#### **A. Eviction and/or Termination**

Although a participant may have satisfied the requirement to submit a certification regarding domestic violence, dating violence or stalking, the landlord may evict a participant and the Sterling Heights Housing Commission may terminate voucher assistance for other good cause unrelated to incident(s) of domestic violence, dating violence or stalking so long as the eviction is not based on a higher standard than that applied to persons who are not the victim of domestic violence, dating violence or stalking.

#### **B. Actual and Imminent Threat**

Nothing is to prohibit termination or eviction if the landlord, owner or the Sterling Heights Housing Commission "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property" or public housing agency "if that tenant is not evicted or terminated from assistance".

\_\_\_\_\_  
*Resident Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Co-Resident Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Authorized Official*

\_\_\_\_\_  
*Date*

**STERLING HEIGHTS HOUSING COMMISSION – LOW RENT  
VIOLENCE AGAINST WOMEN ACT POLICY**

**I. APPLICANTS**

That an applicant or resident of the Sterling Heights Housing Commission's public housing program is or has been a victim of domestic violence, dating violence or stalking is not an appropriate basis for termination of assistance or for denial of admission of an otherwise qualified applicant.

**II. DEFINITIONS**

1. Domestic Violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Michigan domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under Michigan domestic or family violence laws.

2. Dating Violence – means violence committed by a person

(G) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(H) where the existence of such relationship shall be determined based on a consideration of the following factors:

(i) the length of the relationship;

(ii) the type of relationship; and

(iii) the frequency of interaction between the persons involved in the relationship.

3. Stalking – means

(G) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,

(H) In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

4. Immediate Family Member – means, with respect to a person

(G) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or

(H) any person living in the household of that person and related to that person by blood or marriage.

**III. RESIDENTS**

**A. Written Certification**

(i) The Sterling Heights Housing Commission may request, in writing, certification from a victim that the incident or incidents in question are bona fide incidents of domestic violence, dating violence or stalking. The certification shall be a statement signed under penalty of perjury, by an employee, agent or volunteer of a victim services provider, an attorney or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of the abuse, that the incident or incidents in question are bona fide incidents or abuse. The victim of domestic violence, dating violence or stalking

must also sign the statement and identify the alleged perpetrator of the domestic violence, dating violence or stalking.

(ii) Alternatively, the victim may submit a federal, state, or local police or court record from which the Sterling Heights Housing Commission can ascertain the facts and identify the alleged perpetrator. The victim shall provide such certification within 14 business days after the Sterling Heights Housing Commission's written request for the certification. The Sterling Heights Housing Commission may extend the 14 day deadline at its discretion.

(iii) Information provided by the victim pursuant to the certification shall be retained in confidence and not shared unless written consent is obtained from the victim, it is required for use in eviction proceedings or disclosure is otherwise required by law.

## **B. Victim's Rights**

If a victim has properly executed certification on file with the Sterling Heights Housing Commission, or has provided a federal, state or local police report to the Sterling Heights Housing Commission and the resident self-certifies to being the victim of domestic violence, dating violence or stalking:

(i) An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim of such violence.

(ii) The Sterling Heights Housing Commission may bifurcate the lease to evict a lawful occupant or resident who engages in criminal acts of physical violence against family members or others without evicting or otherwise penalizing victimized lawful residents or occupants.

(iii) Criminal activity directly related to domestic violence, dating violence or stalking engaged in by a member of a resident's household or any guest or other person under the resident's control shall not be cause for termination of the tenancy or occupancy rights if the resident or an immediate family member is the victim or threatened victim of that domestic violence, dating violence or stalking.

(iv) The Sterling Heights Housing Commission may evict a victim of domestic violence, dating violence or stalking if it can demonstrate an actual and imminent threat to other residents or the Sterling Heights Housing Commission's employees or service providers if the resident's tenancy is not terminated or for other good cause unrelated to the domestic violence, dating violence or stalking as long as the victim of domestic violence, dating violence or stalking is not subject to a higher standard than a resident who is not the victim of domestic violence, dating violence or stalking.

(v) The Sterling Heights Housing Commission is authorized to honor court orders regarding rights of access or control of the property.

## **IV. STERLING HEIGHTS HOUSING COMMISSION RIGHT TO TERMINATE TENANCY**

### **A. Eviction**

Although a resident may have satisfied the requirement to submit a certification regarding domestic violence, dating violence or stalking, the Sterling Heights Housing Commission may terminate tenancy for other good cause unrelated to incident(s) of domestic violence, dating violence or stalking so long as the eviction is not based on a higher standard than that applied to persons who are not the victim of domestic violence, dating violence or stalking.

**B. Actual and Imminent Threat**

Nothing is to prohibit eviction if the Sterling Heights Housing Commission can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the public housing agency if that tenant is not evicted.

## STERLING HEIGHTS HOUSING COMMISSION – LOW RENT

### NOTICE TO RESIDENTS OF THEIR RIGHTS AND OBLIGATIONS UNDER THE VIOLENCE AGAINST WOMEN ACT

On January 5, 2006, President Bush signed into law a new federal statute, the "Violence Against Women and Department of Justice Reauthorization Act of 2005". For purposes of this notification, this statute is referred to as the Violence Against Women Act or VAWA. The VAWA requires public housing authorities such as the Sterling Heights Housing Commission ("SHHC") to notify residents of their rights and obligations under the VAWA.

#### **Definitions**

**Domestic Violence** – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Michigan domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under Michigan domestic or family violence laws.

**Dating Violence** – means violence committed by a person

- (I) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (J) where the existence of such relationship shall be determined based on a consideration of the following factors:
  - (i) the length of the relationship;
  - (ii) the type of relationship; and
  - (iii) the frequency of interaction between the persons involved in the relationship.

**Stalking** – means

- (I) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,
- (J) In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

**Immediate Family Member** – means, with respect to a person

- (I) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
- (J) any person living in the household of that person and related to that person by blood or marriage.

#### **Denial of Housing Prohibited**

Status as a victim of domestic violence, dating violence or stalking is not an appropriate basis for denial of admission or denial of housing assistance.

#### **Eviction for Criminal Activity Prohibited**

An incident or incidents of actual or threatened domestic violence, dating violence or stalking by a member of your household or any of your guests or other persons under the resident's control will not qualify as a serious or repeated violation of the lease or good cause for terminating the assistance, tenancy or occupancy rights of a victim or threatened victim. However, the Sterling Heights Housing Commission may bifurcate the lease to evict a lawful occupant or resident who

engages in criminal acts of physical violence against family members or others without evicting or otherwise penalizing victimized lawful residents or occupants.

### **Protection Orders**

SHHC is required to honor, when notified, court orders regarding access to or control of your home, including civil protection orders issued to the victim and to address the distribution and possession of property among the household members.

### **Certification of Domestic Violence, Dating Violence or Stalking**

In order to enjoy the benefits of the VAWA, upon SHHC's written request, the resident or any other lawful occupant of their household must provide a certification that they or any other lawful occupant of their home is or has been the victim of domestic violence, dating violence or stalking. The certification will be a statement, signed under penalty of perjury, by an employee, agent or volunteer of a victim services provider, an attorney or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of the abuse, that the incident or incidents in question are bona fide incidents of abuse. The victim of domestic violence, dating violence or stalking must sign the statement and identify the alleged perpetrator of the domestic violence, dating violence or stalking. Alternatively, the victim may submit a federal, state, or local police or court record from which the SHHC can ascertain the facts and identify the alleged perpetrator. The victim shall provide such certification within 14 business days after the SHHC's written request for the certification. The SHHC may extend the 14 day deadline at its discretion.

### **Confidentiality of Information Related to Certification**

Information provided by the victim pursuant to the certification shall be retained in confidence and not shared unless written consent is obtained from the victim, it is required for use in eviction proceedings or disclosure is otherwise required by law.

### **SHHC's Right to Evict**

Even if the resident has satisfied the requirement to submit a certification regarding domestic violence, dating violence or stalking, the SHHC may evict the resident for other good cause unrelated to incident(s) of domestic violence, dating violence or stalking so long as the eviction is not based on a higher standard than that applied to persons who are not the victim of domestic violence, dating violence or stalking.

Also, the SHHC may evict the resident if the SHHC can demonstrate an actual and imminent threat to other residents or persons employed by the SHHC or persons providing services to the property, if the resident is not evicted.

# STERLING HEIGHTS HOUSING COMMISSION – LOW RENT VIOLENCE AGAINST WOMEN ACT LEASE ADDENDUM

## I. DEFINITIONS

1. Domestic Violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under Michigan domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under Michigan domestic or family violence laws.
2. Dating Violence – means violence committed by a person
  - (K) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (L) where the existence of such relationship shall be determined based on a consideration of the following factors:
    - (i) the length of the relationship;
    - (ii) the type of relationship; and
    - (iii) the frequency of interaction between the persons involved in the relationship.
3. Stalking – means
  - (K) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and,
  - (L) In the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

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4. Immediate Family Member – means, with respect to a person
  - (K) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
  - (L) any person living in the household of that person and related to that person by blood or marriage.

## II. RESIDENTS

### A. Written Certification

- (i) The Sterling Heights Housing Commission may request, in writing, certification from a victim that the incident or incidents in question are bona fide incidents of domestic violence, dating violence or stalking. The certification shall be a statement signed under penalty of perjury, by an employee, agent or volunteer of a victim services provider, an attorney or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of the abuse, that the incident or incidents in question are bona fide incidents or abuse. The victim of domestic violence, dating violence or stalking must also sign the statement and identify the alleged perpetrator of the domestic violence, dating violence or stalking.
- (ii) Alternatively, the victim may submit a federal, state, or local police or court record from which the Sterling Heights Housing Commission can ascertain the facts and identify the alleged perpetrator. The victim shall provide such certification within 14 business days after the Sterling Heights Housing Commission's written request for the certification. The Sterling Heights Housing Commission may extend the 14 day deadline at its discretion.
- (iii) Information provided by the victim pursuant to the certification shall be retained in confidence and not shared unless written consent is obtained from the victim, it is required for use in eviction proceedings or disclosure is otherwise required by law.

### B. Victim's Rights

If a victim has properly executed certification on file with the Sterling Heights Housing Commission, or has provided a federal, state or local police report to the Sterling Heights Housing Commission and the resident self-certifies to being the victim of domestic violence, dating violence or stalking:

- (i) An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance, tenancy or occupancy rights of the victim of such violence.

(ii) The Sterling Heights Housing Commission may bifurcate the lease to evict a lawful occupant or resident who engages in criminal acts of physical violence against family members or others without evicting or otherwise penalizing victimized lawful residents or occupants.

(iii) Criminal activity directly related to domestic violence, dating violence or stalking engaged in by a member of a resident's household or any guest or other person under the resident's control shall not be cause for termination of the tenancy or occupancy rights if the resident or an immediate family member is the victim or threatened victim of that domestic violence, dating violence or stalking.

(iv) The Sterling Heights Housing Commission may evict a victim of domestic violence, dating violence or stalking if it can demonstrate an actual and imminent threat to other residents or the Sterling Heights Housing Commission's employees or service providers if the resident's tenancy is not terminated or for other good cause unrelated to the domestic violence, dating violence or stalking as long as the victim of domestic violence, dating violence or stalking is not subject to a higher standard than a resident who is not the victim of domestic violence, dating violence or stalking.

(v) The Sterling Heights Housing Commission is authorized to honor court orders regarding rights of access or control of the property.

**III. STERLING HEIGHTS HOUSING COMMISSION RIGHT TO TERMINATE TENANCY**

**A. Eviction**

Although a resident may have satisfied the requirement to submit a certification regarding domestic violence, dating violence or stalking, the Sterling Heights Housing Commission may terminate tenancy for other good cause unrelated to incident(s) of domestic violence, dating violence or stalking so long as the eviction is not based on a higher standard than that applied to persons who are not the victim of domestic violence, dating violence or stalking.

**B. Actual and Imminent Threat**

Nothing is to prohibit eviction if the Sterling Heights Housing Commission can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the public housing agency if that tenant is not evicted.

\_\_\_\_\_  
*Resident Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Co-Resident Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Authorized Official*

\_\_\_\_\_  
*Date*

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 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

Part I: Summary		FFY of Grant: 2010 FFY of Grant Approval: 2010	
PHA Name: Sterling Heights Housing Commission		Grant Type and Number Capital Fund Program Grant No: M28P15750110 Replacement Housing Factor Grant No: Date of CFFP:	
Type of Grant	<input type="checkbox"/> Reserve for Disasters/Emergencies <input checked="" type="checkbox"/> Original Annual Statement and Evaluation Report for Period Ending: _____ ) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: _____ )		
Line	Summary by Development Account	Total Estimated Cost Revised <sup>1</sup>	Total Actual Cost <sup>1</sup> Expended
1	Total non-CFP Funds		
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	122,000	
3	1408 Management Improvements		
4	1410 Administration (may not exceed 10% of line 21)		
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs		
8	1440 Site Acquisition		
9	1450 Site Improvement		
10	1460 Dwelling Structures	53,000	
11	1465.1 Dwelling Equipment—Nonexpendable		
12	1470 Non-dwelling Structures		
13	1475 Non-dwelling Equipment		
14	1485 Demolition		
15	1492 Moving to Work Demonstration		
16	1495.1 Relocation Costs		
17	1499 Development Activities <sup>4</sup>		

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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U.S. Department of Housing and Urban Development  
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 OMB No. 2577-0226  
 Expires 4/30/2011

<b>Part I: Summary</b>		FFY of Grant: 2010 FFY of Grant Approval: 2010	
PHA Name: Sterling Heights Housing Commission	Grant Type and Number Capital Fund Program Grant No: M28P1570110 Replacement Housing Factor Grant No: Date of CFFP:		
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Revised Annual Statement (revision no: ) <input type="checkbox"/> Final Performance and Evaluation Report	
Line	Summary by Development Account	Total Estimated Cost	Total Actual Cost <sup>1</sup>
		Original	Obligated
18a	1501 Collateralization or Debt Service paid by the PHA		
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment		
19	1502 Contingency (may not exceed 8% of line 20)		
20	Amount of Annual Grant: (sum of lines 2 - 19)	175,000	
21	Amount of line 20 Related to LEP Activities		
22	Amount of line 20 Related to Section 504 Activities		
23	Amount of line 20 Related to Security - Soft Costs		
24	Amount of line 20 Related to Security - Hard Costs		
25	Amount of line 20 Related to Energy Conservation Measures		
Signature of Executive Director <i>Denise A. Hinstenberg</i>		Signature of Public Housing Director	
Date 06-16-10		Date	

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.





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 Expires 4/30/2011

<b>Part I: Summary</b>		FFY of Grant: 2009 FFY of Grant Approval: 2009	
<b>PHA Name:</b> Sterling Heights Housing Commission	<b>Grant Type and Number</b> Capital Fund Program Grant No: M28P15750109 Replacement Housing Factor Grant No: Date of CFFP:		
<b>Type of Grant</b>	<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:	<input checked="" type="checkbox"/> Revised Annual Statement (revision no:1 ) <input type="checkbox"/> Final Performance and Evaluation Report	
<b>Line</b>	<b>Summary by Development Account</b>	<b>Total Estimated Cost Revised<sup>1</sup></b>	<b>Total Actual Cost<sup>1</sup> Expended</b>
1	Total non-CFP Funds		
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>	80,214	80,214
3	1408 Management Improvements	100,825	
4	1410 Administration (may not exceed 10% of line 21)		
5	1411 Audit		
6	1415 Liquidated Damages		
7	1430 Fees and Costs		
8	1440 Site Acquisition		
9	1450 Site Improvement		
10	1460 Dwelling Structures	13,150	3,193
11	1465.1 Dwelling Equipment—Nonexpendable	5,000	0
12	1470 Non-dwelling Structures	74,509	41,815
13	1475 Non-dwelling Equipment		
14	1485 Demolition		
15	1492 Moving to Work Demonstration		
16	1495.1 Relocation Costs		
17	1499 Development Activities <sup>4</sup>		

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
<sup>4</sup> RHF funds shall be included here.

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U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

<b>Part I: Summary</b>		FFY of Grant: 2009 FFY of Grant Approval: 2009	
PHA Name: Sterling Heights Housing Commission	Grant Type and Number Capital Fund Program Grant No: M128P1570109 Replacement Housing Factor Grant No: Date of CFFP:		
Type of Grant <input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input checked="" type="checkbox"/> Revised Annual Statement (revision no: 1 ) <input type="checkbox"/> Final Performance and Evaluation Report	
Summary by Development Account		Total Actual Cost <sup>1</sup>	
Line		Original	Revised <sup>2</sup> Obligated Expended
18a	1501 Collateralization or Debt Service paid by the PHA		
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment		
19	1502 Contingency (may not exceed 8% of line 20)		
20	Amount of Annual Grant: (sum of lines 2 - 19)	172,873	125,222
21	Amount of line 20 Related to LEP Activities		
22	Amount of line 20 Related to Section 504 Activities		
23	Amount of line 20 Related to Security - Soft Costs		
24	Amount of line 20 Related to Security - Hard Costs		
25	Amount of line 20 Related to Energy Conservation Measures		
Signature of Executive Director <i>Denise A. Gustafsonberg</i>		Signature of Public Housing Director	
Date 06-16-10		Date	

<sup>1</sup> To be completed for the Performance and Evaluation Report.  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFFP Grants for operations.  
<sup>4</sup> RHP funds shall be included here.







